

Message Text

CONFIDENTIAL

PAGE 01 BUENOS 09881 01 OF 02 281544Z

ACTION ARA-14

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 NSAE-00
NSCE-00 SSO-00 USIE-00 INRE-00 PM-05 H-01 INR-07
L-03 PA-01 PRS-01 SP-02 SS-15 IO-13 AID-05 IGA-02
OMB-01 TRSE-00 SCS-06 CA-01 MCT-01 /084 W
-----023398 281555Z /41

O R 281500Z DEC 77

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC IMMEDIATE 3912

INFO AMEMBASSY BRASILIA

AMEMBASSY ASUNCION

AMEMBASSY LA PAZ

AMEMBASSY MONTEVIDEO

AMEMBASSY SANTIAGO

C O N F I D E N T I A L SECTION 1 OF 2 BUENOS AIRES 9881

E.O. 11652: GDS

TAGS: SHUM, AR, PINS

SUBJECT: GOA ANNOUNCES EXECUTIVE DETAINEE

CHRISTMAS RELEASES

REF: BUENOS AIRES 9835

1. INTRODUCTION AND SUMMARY

AS AN EXPECTED CHRISTMAS GESTURE, THE GOA ANNOUNCED ON DECEMBER 23 THE RELEASE OF 389 PERSONS FROM EXECUTIVE DETENTION (PODER EJECUTIVO NACIONAL), THE GRANTING OF THE RIGHT OF OPTION TO LEAVE THE COUNTRY FOR TEN PEN DETAINEES (INCLUDING ONE AMCIT) AND THE EXPULSION OF ONE OTHER PRISONER. IN ADDITION, THE GOVERNMENT HAS PLACED 30 PEN DETAINEES ON PAROLE AND PLACED TWO OTHER UNDER HOUSE ARREST. MOST SIGNIFICANTLY, THE GOVERNMENT ANNOUNCED THAT ONLY 3,607 PERSONS WERE BEING

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUENOS 09881 01 OF 02 281544Z

HELD UNDER THE EXECUTIVE POWER

(PEN) AND THAT A LIST OF THESE INDIVIDUALS WILL BE MADE PUBLIC "AT AN OPPORTUNE TIME." END SUMMARY

2. THE RELEASE FROM EXECUTIVE DETENTION OF 389 PERSONS, WITH AMELIORATION OF THE STATUS OF 43 OTHERS, WAS IN THE MID-RANGE OF EXPECTATIONS HERE. MINISTER OF INTERIOR

HARGUINDEGUY HAD TOLD THE AMBASSADOR EARLIER THAT THE MINISTRY WAS STUDYING A LIST OF 675--MEANING THAT ABOUT ONE-THIRD OF THOSE NAMES UNDER STUDY WERE REJECTED. IN RETROSPECT THIS IS NOT SURPRISING, GIVEN HARGUINDEGUY'S (AND ARMY CHIEF OF STAFF FIOLA'S) SUBSEQUENT PUBLIC ASSURANCES THAT NO IRREDEEMABLE SUBVERSIVES, NOR hardcore terrorists would be given their freedom. We are also aware of the scrutiny given the present release list--we believe it was by the three service chiefs themselves--and the unlikelihood of there being any borderline cases resolved in favor of the prisoner. The number exceeds the mid-year release of 342 persons. However, we do not know how many of the 389 removed from the pen will actually be eligible for release from prison, i.e. that do not have parallel criminal charges pending against them. Embassy will report this information as soon as we can.

3. THE FIGURE OF 3,607 REMAINING DETAINEES UNDER THE PEN MAY NOT BE ALTOGETHER RELIABLE--HOWEVER USEFUL IT MAY BE FOR USE AS A BENCHMARK AGAINST WHICH FUTURE RELEASES CAN BE LAID. (ACCORDING TO EARLIER REPORTS FROM RELIABLE GOVERNMENT SOURCES, THE NUMBER OF PEN DETAINEES RANGED BETWEEN 4,000 AND 6,000.)

4. INTEREST CASES-----
OF THE 650 HUMAN RIGHTS CASES PRESENTLY ON FILE IN THE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BUENOS 09881 01 OF 02 281544Z

US EMBASSY, ONLY 14 WERE AFFECTED BY THE GOA CHRISTMAS ANNOUNCEMENTS. THIS SEEMS SMALL, SINCE WE KNOW OF A LIST OF 15 "HIGH INTEREST TO THE US" CASES PREPARED BY THE MINISTRY OF FOREIGN AFFAIRS AND CIRCULATED RECENTLY--WE BELIEVE IN CONNECTION WITH THE CHRISTMAS RELEASES. IT SHOULD BE ADDED THAT TWO OF THE 14 IN OUR FILES WERE PREVIOUSLY REPORTED BY THEIR FAMILIES TO HAVE BEEN IN THE DISAPPEARED CATEGORY (DIEGO CARLOS BONAFINA AND RICARDO ANTONIO DIAZ).

5. RIGHT OF OPTION CASES-----
ONE OF THE 10 INDIVIDUALS BEING PERMITTED TO LEAVE THE COUNTRY UNDER THE RIGHT OF OPTION LAW IS AMERICAN CITIZEN MARTA ALICIA PANERO. SHE WAS ARRESTED ON SEPTEMBER 2, 1976 IN CORDOBA. HER SISTER, MARIA SUSANA IS STILL BEING DETAINED IN VILLA DEVOTO. THE EMBASSY

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 BUENOS 09881 02 OF 02 281550Z
ACTION ARA-14

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 NSAE-00
NSCE-00 SSO-00 USIE-00 INRE-00 PM-05 H-01 INR-07
L-03 PA-01 PRS-01 SP-02 SS-15 IO-13 AID-05 IGA-02
OMB-01 TRSE-00 SCS-06 CA-01 MCT-01 /084 W
-----023435 281554Z /41

O R 281500Z DEC 77
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 3913
INFO AMEMBASSY BRASILIA
AMEMBASSY ASUNCION
AMEMBASSY LA PAZ
AMEMBASSY MONTEVIDEO
AMEMBASSY SANTIAGO

C O N F I D E N T I A L SECTION 2 OF 2 BUENOS AIRES 9881

HAS SUBMITTED TWO NOTES AND MADE A NUMBER OF ORAL REPRESENTATIONS URGING THE GOA TO RELEASE THE PANERO SISTERS. THE CONSULATE GENERAL HAS ALREADY ISSUED MARTA ALICIA PANERO'S PASSPORT AND WILL PROVIDE ASSISTANCE TO EXPEDITE HER TRAVEL BACK TO USA. OTHER RIGHT OF OPTION CASES KNOWN TO US INCLUDE JOSE DANIEL LUTSKY (C-5/77/10) WHO HAS APPLIED BUT NOT RECEIVED A VISA FOR THE US. THERE WAS INTEREST BY THE ANTI-DEFAMATION LEAGUE IN HIS RELEASE. MR. EDGARDO BILSKY WILL ALSO BE PERMITTED TO LEAVE THE COUNTRY. HE WAS INCLUDED RECENTLY IN A NEW YORK TIMES STORY REGARDING MEDICAL PRISONERS IN LATIN AMERICA.

6. PERSONS RELEASED FROM PEN-----
AMONG THE PERSONS RELEASED FROM EXECUTIVE DETERNTION WERE IBERO BERENGUER, THE AIRLINE PILOT'S ASSOCIATION LAWYER WHO DISAPPEARED RECENTLY DURING A HEATED LABOR DISPUTE; THE EX-GOVERNOR OF TUCUMAN ('73-'76) AMADO JURI; FORMER POLICE CHIEF OF SAN JUAN, ENRIQUE GRASSI SUSSINI. TWO US
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUENOS 09881 02 OF 02 281550Z

INTEREST CASES WERE ON THE LIST. THE FIRST WAS FLORA DYBNER DE RAVAL WHO WAS ARRESTED IN MARCH 1977 IN CONNECTION WITH THE GRAIVER AFFAIR. HER AMCIT BROTHER RUBEN DYBNER REQUESTED DEPARTMENT ASSISTANCE ON THIS CASE

IN LATE SEPTEMBER 1977. (STATE 231752) APPRECIATE IF DEPARTMENT WOULD ADVISE HIM REGARDING HIS SISTER'S CHANGED STATUS. SECONDLY, JUAN DE LA CRUZ GONZALEZ WHOSE JAIL SENTENCE HAD ENDED ON NOVEMBER 10, 1977. PROMPTED CONGRESSIONAL INQUIRIES FROM CONGRESSMEN MOFFETT, BURTON, STUDDS AND THE AMERICAN FRIENDS SERVICE COMMITTEE.

7. HOUSE ARRESTS AND PAROLE-----

THE CHRISTMAS ANNOUNCEMENT IS THE FIRST USE OF THE DETENTION FLEXIBILITY CONTAINED IN LAW 21650. OF THE 30 INDIVIDUALS PLACED IN PAROLE, ADOLFO HORACIO ROMERO (C-37/77/11) AND HECTOR ALBERTO GUZMAN (C-54/77/11) HAVE PREVIOUSLY REQUESTED EMBASSY VISA CERTIFICATION FOR THE ARGENTINE RIGHT OF OPTION PROGRAM. TWO WOMEN HAVE BEEN PLACED UNDER HOUSE ARREST.

8. DEPORTATION-----

THE GOVERNMENT'S DEPORTATION OF SPANISH PRIEST FRANCISCO GUTIERREZ GARCIA COMES AS A SURPRISE. FATHER GUTIERREZ IS ONE OF NINE PRIESTS HELD AT LA PLATA PRISON WHO HAVE BEEN THE SUBJECT OF US INQUIRIES (SEE STATE 192160). THE FATHER WAS PLACED UNDER THE EXECUTIVE DETENTION BY THE PERON GOVERNMENT IN NOVEMBER 1975, AND ALTHOUGH NO CRIMINAL CHARGES WERE BROUGHT, THE FOREIGN MINISTRY INFORMED EMBASSY POLOFF IN SEPTEMBER THAT FATHER GUTIERREZ WAS A KNOWN MONTONERO WHO HAD PARTICIPATED DIRECTLY IN CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BUENOS 09881 02 OF 02 281550Z

ORGANIZING GUERILLA BASES AND THE TRAINING OF FUTURE CADRES. REPORTEDLY, HE HAD RECRUITED FOR THE MONTONEROS IN THE SANTO CRISTO CHURCH IN BUENOS AIRES THROUGH HIS RECREATION PROGRAM.
CASTRO

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRISONERS RELEASE
Control Number: n/a
Copy: SINGLE
Sent Date: 28-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BUENOS09881
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770483-0536
Format: TEL
From: BUENOS AIRES
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771213/aaaaakln.tel
Line Count: 210
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 05045efc-c188-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 BUENOS AIRES 9835
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 123288
Secure: OPEN
Status: NATIVE
Subject: GOA ANNOUNCES EXECUTIVE DETAINEE CHRISTMAS RELEASES
TAGS: SHUM, PINS, AR
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/05045efc-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009